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Filing date: **07/26/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197430
Party	Plaintiff Hyperkin, Inc.
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Submission	Withdrawal of Opposition
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Date	07/26/2011
Attachments	Stipulation to Dismiss.pdf ( 4 pages )(60109 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HYPERKIN, INC.,

*Opposer,*

vs.

INNEX, INC.,

*Applicant.*

Mark: RETROLINK

Serial No.: 77/946,248

Filed: February 26, 2010

Published: July 20, 2010

Opposition No.: 91197430

STIPULATION TO DISMISS

Hyperkin, Inc. ("Hyperkin") and Innex, Inc. ("Innex") (collectively the "Parties") hereby stipulate and agree as follows:

WHEREAS, Hyperkin and Innex are parties to the civil action *Innex, Inc. v. Hyperkin, Inc.* pending in the United States District Court, Central District of California, Case No. CV10-5449-RGK (VBKx) ("Civil Action");

WHEREAS, the instant opposition proceeding and the Civil Action involve common questions of law and fact;

WHEREAS, on or about July 12, 2011, the Parties executed a settlement agreement in which they agreed to dismiss the Civil Action and the instant opposition proceeding with prejudice ("Settlement Agreement");

ACCORDINGLY, it is hereby stipulated that the notice of opposition for Opposition No. 91197430 be dismissed with prejudice.

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This Stipulation is being filed electronically pursuant to the ESTTA system.

Dated: July 24, 2011

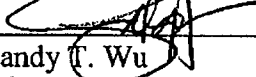
CHANG & COTÉ, LLP

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Attorneys for Opposer,  
Hyperkin, Inc.

Dated: July 25, 2011

CHIAO & WU, LLP

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Attorneys for Applicant,  
Innex, Inc.

ORDER

Pursuant to the parties' stipulation, the Trademark Trial and Appeal Board hereby orders that the Notice of Opposition for Opposition No. 91197430 be dismissed with prejudice.

Dated: \_\_\_\_\_, 2011

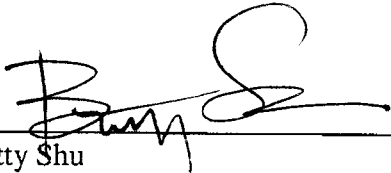
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TRADEMARK TRIAL AND  
APPEAL BOARD

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing STIPULATION TO DISMISS was served on Petitioner's counsel this 26<sup>th</sup> day of July, 2011, by depositing the same with the U.S. Postal Service, first-class postage prepaid, addressed as follows:

Sandy T. Wu  
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Betty Shu